

78



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,950	01/31/2001	Shvat Shaked	P-1306-US2	1477
27130	7590	02/10/2005	EXAMINER	
EITAN, PEARL, LATZER & COHEN ZEDEK LLP 10 ROCKEFELLER PLAZA, SUITE 1001 NEW YORK, NY 10020			DINH, KHANH Q	
			ART UNIT	PAPER NUMBER
			2151	
DATE MAILED: 02/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/772,950

Applicant(s)

SHAKED ET AL.

Examiner

Khanh Dinh

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/17/01 ; 5/30/01 ; 9/12/01 ; 5/14/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Li et al., US pat. No.6,012,088.

As to claim 1, Li discloses a method for automatically acquiring the identity of an user requesting service from a service provider, said method comprising:

said service provider sending an identification request to a network access provider (NAP) (contacting to ISP Internet Service Provider to locate data information for users, see figs.1, 4, abstract, col.4 line 66 to col.5 line 23 and col.11 line 26 to col.12

Art Unit: 2151

line 27), said NAP comprising a NAP identification (ID) module and an access system in communication with said NAP identification module and said NAP ID module (checking for valid user ID) extracting information associated with said user, verifying the network address of said user and forwarding said information associated with said user to said service provider (see fig.11A, 11B, col.12 line 38 to col.13 line 48).

As to claim 2, Li discloses sending an identification (ID) request comprises sending the ID request via at least one identification switch (see fig.5, col.7 lines 11-57).

As to claim 3, Li discloses verifying whether the network address of the user is included in the ID request; and if the network address of the user is not included, extracting the network address when the user connects to the NAP (allowing automatic configuration to an access internet device, see col.13 lines 11-58 and col.14 lines 13-49).

As to claim 4, Li discloses retrieving data from a group of databases including an online session database (420 fig.8) in communication with said NAP and a user information database in communication with said NAP (see fig.8, col.13 line 53 to col.14 line 49).

As to claim 5, Li discloses detecting a request from the user of a specific URL, said specific URL being identifiable by a plug-in installed in the proxy server of said NAP; and said plug-in reporting the real network address of the user (processing customer's URL request, see fig.8, col.13 line 53 to col.14 line 49).

As to claim 6, Li discloses detecting a request from the user of a specific URL, said specific URL being identifiable by a network sniffer installed between the user and the proxy server of said NAP and said sniffer reporting the real network address of the user (determining level of service desired by customer, see fig.8, col.13 line 53 to col.14 line 49 and col.9 lines 11-63).

As to claim 7, Li discloses instructing the user to connect to the address extraction module of said NAP via an alternative service or port not associated with the proxy server, opening a direct connection to said address extraction module and by automatically configuring the proxy settings (see fig.6, col.8 line 5 to col.9 line 25 and col.10 lines 6-65).

As to claims 8 and 9, Li discloses reporting said information associated with said user to said service provider and verifying information items provided in the identification request; and forwards a match score describing the similarity between the information associated with said user and the information items provided in the identification request (see figs.6, 7, col.9 lines 11-63 and col.10 line 17 to col.11 line 16).

As to claims 10 and 11, Li discloses sending a virtual ID for said user to said service provider and sending information associated with said user in a previous request to said service provider (using automatic configuration, see fig.8, col.11 line 17 to col.12 line 65

Art Unit: 2151

and col.13 lines 11-48).

As to claim 12, Li discloses determining the identity of the NAP servicing said user, forwarding said identification request to said NAP identification module, determining whether said identification request includes the network address of said user; and if said identification request does not include the network address of said user, extracting the network address when the user connects to the NAP (using the configuration records, see fig.10, col.9 lines 11-63 and col.13 line 60 to col.14 line 65).

As to claim 13, Li discloses maintaining a look-up table of network addresses associated with a plurality of NAPs and determining the identity of the NAP by reference to said look-up table (routing table) (see fig.5, col.7 lines 12-57 and col.8 lines 14-57).

As to claims 14 and 15, Li discloses said look-up table is updated manually whenever network address assignments change and is updated automatically from said NAP identification module based on information reported from said access system (using automatic configuration, see col.7 lines 12-57 and col.9 line 26 to col.10 line 43).

As to claim 16, Li discloses said look-up table is constructed from existing network address assignment databases (see fig.5, col.7 lines 12-57 and col.8 lines 14-57).

Art Unit: 2151

As to claim 17, Li discloses a method for automatically identifying an user requesting service from a service provider, said method comprising:

said service provider determining the veracity of the network address reported by the user (contacting to Internet Service Provider ISP to locate data information for users, see figs.1, 4, abstract, col.4 line 66 to col.5 line 23 and col.11 line 26 to col.12 line 27); if said network address is determined to be trusted, said service provider including said network address in an identification request and sending said identification request to a network access provider (NAP), said NAP comprising a NAP identification module; and providing service in accordance with said service request (checking for valid user Ids according to requests, see fig.11A, 11B, col.12 line 38 to col.13 line 48);

or if the network address is determined not to be trusted (unsuccessful configuration), said service provider sending an identification request to a network access provider (NAP) for verifying the network address of said user and forwarding said information associated with said user to said service provider (see col.13 line 49 to col.14 line 49).

Claims 18, 19 are rejected for the same reasons set forth in claims 2, 12 respectively.

As to claim 20, Li discloses configuring at least one network appliance to route specific requests to a specified NAP; and the NAP identification module associated with said

Art Unit: 2151

specified NAP identifying said user (see fig.8, col.11 line 17 to col.12 line 65 and col.13 lines 11-48).

As to claim 21, Li discloses one of a group including an HTTP proxy and a WAP Gateway (using a proxy server, see fig.6, col.8 line 5 to col.9 line 25 and col.10 lines 6-65).

As to claim 22, Li discloses a system for automatically acquiring the identity of the user (92 fig.4) of an anonymous network, said system comprising:

a service provider (ISP 14 fig.4) in communication with said user and at least one network access provider (NAP) (100 fig.4) in communication with said service provider and said user (contacting to ISP to locate data information for users, see fig.1, abstract, col.4 line 66 to col.5 line 23 and col.11 line 26 to col.12 line 27); said at least one NAP comprising: a NAP identification module comprising: a controller and an address extractor in communication with said controller; and an access system in communication with said address extractor (see fig.5, col.7 line 12 to col.8 line 50).

As to claim 23, Li discloses at least one online session database (420 fig.8) in communication with said controller and said access system, said at least one online session database containing at least information associating said user with the user's network address (see col.11 line 17 to col.12 line 37).

Art Unit: 2151

Claim 24 is rejected for the same reasons set forth in claim 2.

As to claim 25, Li discloses at least one user information database, in communication with said controller (using the configuration records to process user requests, see fig.10, col.9 lines 11-63 and col.13 line 60 to col.14 line 65).

As to claim 26, Li discloses at least one of a group of databases containing data including personal details related to said user, billing information, information about past user logins, and a reverse telephone directory (using automatic configuration process, see fig.8 line 17 to col.12 line 65 and 15 lines 7-54).

Other prior art cited

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Cook, US pat. No.6,697,806.
- b. Wilf et al, US pat. No.5,899,980.
- c. Bezos, et al, US pat. No.5,727,163.

Conclusion

Art Unit: 2151

5. Claims 1-26 are rejected.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 272-3939. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U. S. C. Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khanh Dinh
Patent Examiner
Art Unit 2151
2/7/2005